



JAMES A. NOYES, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"Enriching Lives"

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IN REPLY PLEASE

REFER TO FILE: **MP-5**

February 26, 2004

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**RESOLUTION OF SUMMARY VACATION
FUTURE STREET AND SLOPE - BOUQUET CANYON
SUPERVISORIAL DISTRICT 5
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find this action categorically exempt from the provisions of the California Environmental Quality Act (CEQA).
2. Find that:
 - a. Pursuant to Section 8331 (a and b), this right of way (Private and Future Street) has been impassable for vehicular traffic for a period of five consecutive years and that no public monies were expended for maintenance on the right of way during that period.
 - b. Pursuant to Section 8333 (a), the future slope has not been used for the purpose for which it was dedicated or acquired during the past five consecutive years.
 - c. Pursuant to Section 8334 (a), these County rights of way are excess rights of way not required for street or highway purposes.

- d. The Resolution does not terminate any public service easement.
3. Terminate offers of dedication of rights of way (Private and Future Street and slope) and abandon County's right to rescind rejection of said offer pursuant to Chapter 12.7 of Title 1, Section 7050 of the Government Code of the State of California.
4. Adopt the enclosed Resolution to terminate and abandon offers of dedication of rights of way (Private and Future Street and slope).

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The vacation was requested by Mr. Roy Abrogast, the underlying fee owner, to replace the existing future slope and street easements that were impractical to build due to the undulating topography in the area with alternate future right of way. Mr. Abrogast has executed and recorded the alternate future right of way as a condition of this vacation.

This action will terminate the existing offers of dedication and abandon the right to accept such offers of right of way which are no longer needed for present or prospective public use. The offered future slope and street easements have been impassable for vehicular traffic for a period of five consecutive years, and no public monies were expended for maintenance during that period. These County rights of way are excess rights of way not required for street and highway purposes. No existing public utility facilities or easements, if any, within the proposed vacation areas will be affected by the vacation.

Implementation of Strategic Plan Goals

This action is consistent with the County Strategic Plan Goal of Fiscal Responsibility, as the vacation of these rights of way will result in added revenue through assessment and taxation, eliminate unnecessary maintenance cost, and remove possible County exposure to liability.

FISCAL IMPACT/FINANCING

Vacation of the County's interest/rights will not have a negative fiscal impact on the County budget. A fee of \$1,500 was deposited by the petitioner to defray the expenses of investigation.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The areas to be vacated and abandoned contain approximately 34,216 square feet and are shown on the map attached to the resolution.

The County was vested with the right to accept the offers of dedication of right of way for the current slope and street right of way granted in Document Nos. 79-781948, 79-781950, and 79-781948, respectively, recorded on July 17, 1979, in the office of the Recorder of the County of Los Angeles.

The Public Streets, Highways, and Service Easement Vacation Law allows your Board to voluntarily relinquish the County's interest over the areas to be vacated. Adoption by your Board of Public Works' recommendations disposes of excess County future rights of way. Your action will also result in the property being unencumbered of the County interest, thereby allowing the underlying fee title owner to exercise reversionary rights over the vacated area.

ENVIRONMENTAL DOCUMENTATION

With respect to requirement of CEQA, this proposed vacation and abandonment is categorically exempt as specified in Classes 5 (I) and 21(a) of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, Synopsis 57, and Sections 15305 and 15321 of State CEQA Statutes and Guidelines.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The County of Los Angeles Fire Department has found that no fire protection facilities will be affected by the proposed vacation. The County of Los Angeles Regional Planning Commission has determined that the proposed vacation and abandonment does not conflict with the County-adopted General Plan and the alignment of future streets may be relocated. The proposed vacation areas are not suitable for bicycle paths and trails.

CONCLUSION

This action is in the County's interest. Enclosed is a Resolution of Summary Vacation approved as to form by County Counsel. Upon adoption of the Resolution, please return one executed original and a copy to Public Works for further processing. We will record the Resolution and return the executed original Resolution to you when recorded. In the interim, please retain one executed copy for your files.

The Honorable Board of Supervisors
February 26, 2004
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One approved copy of this letter is requested.

Respectfully submitted,

JAMES A. NOYES
Director of Public Works

RVM:fr:5/BL landra

Enc.

cc: Chief Administrative Office
County Counsel

RESOLUTION OF SUMMARY VACATION

BE IT RESOLVED by the Board of Supervisors of the County of Los Angeles that it is hereby found and determined that portions of real properties designated as Private and Future Street and Slope legally described in Exhibit "A" and as shown on the map in Exhibit "B" attached hereto and incorporated herein by this reference, which rights of way are located in the vicinity of Bouquet Canyon, in the County of Los Angeles, State of California, are no longer needed for present or prospective public use based upon the following facts: That the subject rights of way (Private and Future Street) has been impassable for vehicular traffic for a period of five consecutive years and that no public monies were expended for maintenance on the rights of way during that period; that the future slope easement has not been used for the purpose for which it was dedicated or acquired for the past five consecutive years; that the County's rights of way (Private and Future Street and Slope) are excess rights of way not required for street and highway purposes and the subject rights of way are not required for general public access, circulation, or for bicycle paths or trails.

BE IT FURTHER RESOLVED that the offers of dedication of rights of way (Private and Future Street and Slope easement) legally described in Exhibit "A" are hereby terminated and abandoned pursuant to Chapter 12.7 of Title 1, Section 7050 of the Government Code of the State of California and pursuant to Chapter 4, Part 3, Division 9 of the Streets and Highways Code, State of California, commencing with Section 8330.

BE IT FURTHER RESOLVED that said vacation, termination and abandonment does not terminate any public service easement and no in-place public utility facilities are in use would be affected by the vacation.

BE IT FURTHER RESOLVED that the Department of Public Works be authorized to record the certified original Resolution in the office of the Recorder of the County of Los Angeles, at which time the offers of dedication of rights of way for street, highway, and slope purposes terminated and the County's rights to accept said offers of dedication abandoned.

The foregoing Resolution was on the _____ day of _____, 20_____, adopted by the Board of Supervisors of the County of Los Angeles, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

VIOLET VARONA-LUKENS
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

APPROVED AS TO FORM:

LLOYD W. PELLMAN
County Counsel

By _____
Deputy

By _____
Deputy

Landra Road (Vacation)
West of Bouquet Canyon Road
A.M.B. 2813-006-024 and 025 (Portions)
T.G. 4281 (4371 H/6)
I.M. 279-137
Fifth District
Job Number M0488102

EXHIBIT "A"

PART A (Street Vacation):

That certain parcel of land offered for dedication for public road and highway purposes to the County of Los Angeles, described as Parcel 865-1 in deed recorded on July 17, 1979, as Document No. 79-781948, of Official Records, in the Office of the Recorder of said county.

PART B (Slope Vacation):

That certain parcel of land offered for dedication for slope purposes to the County of Los Angeles, described as Parcel 865-1S.1 in deed recorded on July 17, 1979, as Document No. 79-781948, of Official Records, in the Office of the Recorder of said county.

PART C (Slope Vacation):

The northerly 20 feet of the westerly 130 feet of that certain parcel of land offered for dedication for slope purposes to the County of Los Angeles, described as Parcel 864-1S.1, Part B in deed recorded on July 17, 1979, as Document No. 79-781950, of Official Records, in the office of the Recorder of said county.

Total Area: 34, 216 ± square feet

This real property description has been prepared in conformance with the Professional Land Surveyors Act. The signatory herein is exempt pursuant to Section 8726 of the Land Surveyors Act.

CEH:jb
P5/ldCEH4

